

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6154

AN ORDINANCE amending the Bellevue City Code to align with the passage of State Initiative 502 legalizing certain marijuana possession and usage.

WHEREAS, the passage of State Initiative 502 (I-502) legalizes certain marijuana possession and usage; and

WHEREAS, State regulations are still being developed related to I-502; and

WHEREAS, the Human Resources Code includes a substance abuse policy that includes references to marijuana and

WHEREAS, amending the Human Resources Code will align its substance abuse policy with I-502, maintain the City's policy of zero tolerance for drug and alcohol abuse/impairment and provide the City with flexibility to address regulation development in this area.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.79.080 of the Bellevue City Code is hereby amended to read as follows:

3.79.080 Employment and work place policies.

- A. **Equal Employment Opportunity.** The city has a policy of providing a work environment free from unlawful discrimination and harassment. The city will take appropriate steps so that employees have such a discrimination-free and harassment-free work environment, including appropriately disciplining, up to and including termination from employment, for employees who are found to have violated this policy. The city manager shall develop a complaint procedure for reporting unlawful discrimination and harassment that requires employees to utilize the complaint procedure where they believe that they are being subjected to unlawful discrimination or harassment in the work place.
- B. **Code of Ethics.** In accordance with the city's code of ethics and other applicable law, the city manager will adopt rules for employees with respect to use of public property, conflicts of interest, and other work-related activities.
- C. **Outside Employment.** Employees may retain their position with the city while having outside employment; provided, that such employment does not interfere with their assigned duties and responsibilities within the city and does not create a conflict of interest.

D. Intellectual Property. Any software authored or otherwise developed by an employee on city time or for city purposes is the property of the city. The city shall hold all rights and privileges regarding its use and distribution.

E. Smoking in the Work Place. Because the city wishes to promote a healthy and productive work environment consistent with applicable laws, the city manager shall adopt rules for regulating smoking in the work place and on/in city of Bellevue property.

F. Safety. All employees are responsible for following applicable health and safety precautions on the job including using appropriate safety equipment and clothing as required. The city manager or his/her designee is responsible for promoting safe working conditions and compliance with safety standards at work sites.

G. Accidents. The city manager or his/her designee shall adopt rules and procedures for the prompt reporting of on-the-job accidents, illnesses and/or injuries, and prescribing consequences for failure to report.

H. Work Place Violence. The city of Bellevue is committed to providing, insofar as it reasonably is able to do so within available budgetary appropriations and adopted policies, a safe environment for working and conducting business. The city will not tolerate acts of violence committed by employees while on city of Bellevue property or while performing city of Bellevue business at other locations. The city manager shall develop and implement rules that promote a work place free from violence, including defining dangerous weapons and prohibiting the possession or use of such dangerous weapons on city property, in city vehicles, or in any personal vehicle which is used for city business, with appropriate exceptions.

I. Substance Abuse Policy. As part of its commitment to safeguard the health and welfare of the public, and the City's employees and to promote a drug free work environment, the City has a zero tolerance policy for alcohol, marijuana or illegal drug use, possession, or sale, distribution, manufacturing that in any way impacts or may impact the employee's ability to perform his or her job duties, negatively impacts the public's perception of the employees ability to perform his/her job duties or brings the City into a bad light. The City Manager shall prescribe rules for the implementation of this policy including alcohol and drug testing of applicants and employees as permitted by law.

J. Personnel Files. The city will maintain a personnel file for each employee. The city in its discretion reserves the right to assert the confidentiality of employee personnel files to the extent permitted by law. The city manager or his/her designee shall develop rules relating to the release of employee information including the release of information in response to requests for references for employment.

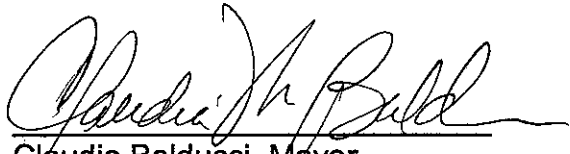
Section 2. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

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Section 3. The Human Resources Code amendments contained in Section 1 above shall become effective April 1, 2014.

Passed by the City Council this 3rd day of March, 2014
and signed in authentication of its passage this 3rd day of March,
2014.

(SEAL)

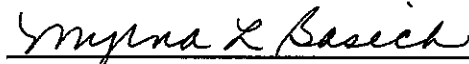

Claudia Balducci, Mayor

Approved as to form:


Lori M. Riordan, City Attorney

Siona D. Windsor, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk

Published March 6, 2014